

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1, 3-4, 9 and 12 have been amended. Claims 1-15 are pending and under consideration. Claims 3-4 are objected to.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 12-15 are rejected under 35 U.S.C. §102(b) as being anticipated by Emoto (U.S. Patent 5,679,384).

Independent claim 12 has been amended to recite "an adjuster between the frame and the second portion to adjust a gap between the frame and the second portion." It is respectfully submitted that Emoto does not disclose these features.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 1-2, 5-8 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shibuya (U.S. Patent 6,051,896).

Independent claim 1 has been amended to recite "an adjuster between the outer frame and the fixed section to adjust a gap between the fixed section and the movable section." It is respectfully submitted that Shibuya does not teach or suggest these features, and is not relied upon by the Examiner for this purpose.

Claim 9 is rejected under 35 U.S.C. §103(a) as being unpatentable over Shibuya in view of Chaya.

The Examiner relies upon Chaya as teaching a position adjustment means. However, the holding member 50a (relied upon by the Examiner) is not between the yokes 11 and 12, but instead is next to the yokes 11 and 12. Furthermore, since the yokes 11 and 12 (magnet 13 being attached to the yoke 11) are both attached to the holding member 50a, it is respectfully submitted that this element does not adjust a gap between the yokes 11 and 12.

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Claim 10 is rejected under 35 U.S.C. §103(a) as being unpatentable over Shibuya et al. in view of Wacker (EP 0744815 A2).

Claim 10 depends from claim 1, and is therefore patentable over Shibuya at least due to its dependency from claim 1. It is respectfully submitted that Wacker does not overcome the above deficiencies in Shibuya.

ALLOWABLE SUBJECT MATTEER:

Claim 3 and 4 are rewritten into independent form herein.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

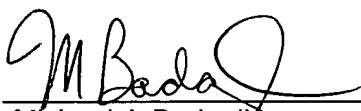
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 11-26-03

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